

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jun 16, 2022**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jeremiah Dale Fuller Case Number: 0980 2:14CR00090-SAB-1

Address of Offender: [REDACTED] Spokane, Washington 99208

Name of Sentencing Judicial Officer: The Honorable Stanley A. Bastian, Chief U.S. District Judge

Date of Original Sentence: November 20, 2014

Original Offense: Distribution of Child Pornography, 18 U.S.C. § 2252A(a)(2)(A)

Original Sentence: Prison - 60 Months; Type of Supervision: Supervised Release
TSR - 240 Months

Asst. U.S. Attorney: David Michael Herzog Date Supervision Commenced: March 14, 2019

Defense Attorney: Federal Public Defender Date Supervision Expires: March 13, 2039

PETITIONING THE COURT**To issue a WARRANT.**

On March 14, 2019, Mr. Jeremiah Fuller signed his conditions relative to case number 2:14CR00090-SAB-1 indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition #3:</u> The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.
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Supporting Evidence: Mr. Fuller is alleged to have violated mandatory condition number 3 by using fentanyl on a number of occasions, to include on or about May 25, and June 8, 2022, based on laboratory testing, and most recently occurring on or about June 11, 2022, based on the client's admission of such use. Mr. Fuller also admitted to using a medicated adhesive pain patch, which he believed may have contained fentanyl, on a daily basis from on or about May 25, through June 6, 2022.

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Specifically, on May 25, 2022, Mr. Fuller was contacted by the undersigned officer and directed to report to the U.S. Probation Office for urinalysis testing. Mr. Fuller initially committed to doing so, but later sent the undersigned officer a text message in proximity to 5 p.m. indicating that building security would not allow him access to the building. At that time, Mr. Fuller was directed to report to the contract urinalysis testing provider in Spokane.

Mr. Fuller subsequently reported to Pioneer Human Services in Spokane, and submitted a urinalysis sample that appeared presumptive negative and was forwarded to the laboratory for verification of both fentanyl and alcohol.

On June 7, 2022, the lab report was received specific to the sample submitted by the client at Pioneer on May 25, 2022, although the report incorrectly identified the sample for being collected on May 31, 2022. On June 7, 2022, Mr. Fuller was contacted about the lab report received, at which time he denied any intentional use of fentanyl. Mr. Fuller was again directed to report to the U.S. Probation Office for random urinalysis testing on June 8, 2022, to which he committed.

On June 8, 2022, Mr. Fuller reported as directed and again submitted a urinalysis sample that tested presumptive positive for fentanyl. Mr. Fuller indicated that the only possible thing he could think of was that he had found some adhesive pain patches at his current place of employment that he had initially begun using on or about May 30, 2022, and he continued to use them on a daily basis through June 6, 2022. On June 13, 2022, the lab report specific to the urinalysis sample submitted by Mr. Fuller on June 8, 2022, returned as confirmed positive for fentanyl.

On June 15, 2022, it was determined that Pioneer Human Services had incorrectly reported his initial urinalysis testing date as May 31, 2022, when it should have reflected as May 25, 2022. This error appeared to conflict with Mr. Fuller's original statement that he had begun using medicated adhesive pain patches on or about May 30, 2022, and he was again contacted telephonically. Mr. Fuller was confronted on his apparent failure to present as fully transparent at which time the client indicated he must have used the medicated adhesive pain patches for longer than 1 week. Mr. Fuller additionally admitted to ingesting fentanyl pills on approximately three separate occasions, with his last use of the substance occurring on or about June 11, 2022. Mr. Fuller indicated he had previously attempted to stop taking his prescribed Suboxone medication and he had relapsed in part in an attempt to mitigate the effects of withdrawal that he was feeling.

The U.S. Probation Office respectfully recommends the Court **issue a WARRANT** requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 15, 2022

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

A handwritten signature in blue ink, reading "Stanley A. Seston", is written over a horizontal line.

Signature of Judicial Officer

6/16/2022

Date